

CHARLES PRITCHETT,

Plaintiff,

-against-

THE CITY OF NEW YORK, CAPTAIN
WILLIAM McSORLEY, POLICE OFFICER
ROBERT CANDREA, POLICE OFFICER
WILSON, POLICE OFFICER ERIK
CHRISTIENSEN, POLICE OFFICER MINDY
ANGUEIRA, POLICE OFFICER JAMES
ROGERS, and "JOHN/JANE DOES #1-5" believed
to be members of the NEW YORK CITY POLICE
DEPARTMENT,

Defendants.

X STIPULATION AND
ORDER OF
SETTLEMENT AND
DISCONTINUANCE

07 CV 3169 (HB)(GWG)

WHEREAS, plaintiff commenced this action by filing a complaint on or about
April 20, 2007, alleging that defendants violated his constitutional rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's
allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation,
without further proceedings and without admitting any fault or liability;

WHEREAS, plaintiff has authorized his counsel to settle this matter on the terms
set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiff the total sum of NINETY THOUSAND DOLLARS (\$90,000.00) in full satisfaction of all claims, including claims for costs, expenses and attorney fees. In consideration for the payment of this sum, plaintiff agrees to dismissal of all the claims against the City of New York and to release the individually named defendants Police Captain William McSorley, Police Officer Robert Candrea, Police Officer William Wilson, Police Officer Eric Christiansen, Police Officer Mindy Angueira and Police Officer James Rogers and any present or former employees or agents of the City of New York, from any and all liability, claims, or rights of action that have or could have been alleged by plaintiff in this action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Plaintiff shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a general release based on the terms of paragraph "2" above and an Affidavit of No Liens.

4. Nothing contained herein shall be deemed to be an admission by the City of New York that it has in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.


6 This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
June 27, 2008


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Attorney for Plaintiff Charles Pritchett
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MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants City of New York
& William McSorley, Robert Candrea, William
Wilson, Eric Christiansen, Mindy Angueira and
James Rogers
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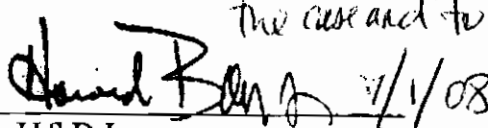
By:


Michael B. Lumer (ML-1947)

By:


David M. Pollack (DP 3873)
Assistant Corporation Counsel

SO ORDERED:

The Clerk of the Court is instructed to close
the case and to remove this case from my
docket.
 7/1/08
U.S.D.J.

